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<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/025,550	SUZUKI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Janis L. Dote	1756	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/28/06.
2. ☒ The allowed claim(s) is/are 1-4, 7, 8, 27 and 36-38.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

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|---|---|
| <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br/>Paper No./Mail Date <u>2/28/06</u></li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</li> <li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____.</li> <li>7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____.</li> </ol> |
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1. This office action is responsive to the amendment filed after the final office action on Feb. 28, 2006. The examiner acknowledges the amendments to claims 1, 2, 27, and 36-38 and the cancellation of claims 34, 35, and 39 set forth in the amendment filed on Feb. 28, 2006. Claims 1-4, 7, 8, 27, and 36-38 are pending.

2. The information disclosure statement (IDS) submitted on Feb. 28, 2006, was filed after the mailing date of the Final office action on Nov. 28, 2005. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

#### **EXAMINER'S AMENDMENT**

3. An extension of time under 37 C.F.R. 1.136(a) is required in order to make an examiner's amendment, which places this application in condition for allowance. During a telephone conversation conducted on Mar. 16, 2006, Mr. Phillip E. Miller (Reg. No. 46,060) requested an extension of time for ONE MONTH and authorized the Director to charge Deposit Account No. 50-0481 the required fee of \$ 120.00 for this extension and authorized the following examiner's amendment. Should the changes and/or additions be unacceptable to applicants, an

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amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Claim 36 has been amended as follows:

At line 37 after the phrase "forming a toner image" insert the phrase -- by developing an electrostatic latent image formed --; and

At lines 50, 52, 54, and 56, at each occurrence delete the term "image carrier" and insert the term -- photosensitive body --.

4. The examiner's amendment to claim 36 avoids rejections under 35 U.S.C. 112, second paragraph, for omitting an essential element, i.e., an electrostatic latent image; and for lack of antecedent basis for "said image carrier."

#### **REASONS FOR ALLOWANCE**

5. The following is an examiner's statement of reasons for allowance:

The rejections of claims 1-4, 7, 8, 27, and 34-39 under 35 U.S.C. 112, second paragraph, set forth in the office action mailed on Nov. 28, 2006, Jun. 16, 2005, paragraph 5, have been

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withdrawn in response to the amendments to claims 1, 2, and 36-38, and the cancellation of claims 34 and 39 set forth in the amendment filed on Feb. 28, 2006.

The rejections of claims 1-4, 7, 8, 27, and 34-39 under 35 U.S.C. 112, first paragraph, set forth in the office action mailed on Nov. 28, 2005, paragraph 7, have been withdrawn in response to the amendments to claims 1, 2, and 36-38, and the cancellation of claims 34, 35, and 39 set forth in the amendment filed on Feb. 28, 2006.

Claims 1-4, 7, 8, 27, and 36-38 are allowable over the prior art of record for the reasons discussed in the office action mailed on Nov. 28, 2005, paragraph 2, which are incorporated herein by reference.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janis L. Dote whose telephone number is (571) 272-1382. The examiner can normally be reached Monday through Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's acting supervisor, Mr. Nam Nguyen, can be reached on (571) 272-1482. The central fax phone number is (571) 273-8300.

Any inquiry regarding papers not received regarding this communication or earlier communications should be directed to Supervisory Application Examiner Ms. Claudia Sullivan, whose telephone number is (571) 272-1052.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JLD  
Mar. 16, 2006

*Janis L. Dote*  
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PRIMARY EXAMINER  
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